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10/067,710	02/05/2002	Ikuya Morikawa	FUJA 19.410	7181

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EXAMINER	
DELGADO, MICHAEL A	

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/067,710	MORIKAWA, IKUYA	
	Examiner	Art Unit	
	Michael S. A. Delgado	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/05/2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 1, 9 and 18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

2. The terms "relatively short or relatively long " in claims 1, 9 and 18 are a relative term, which renders the claim indefinite. The term "relative" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 9-13, 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,654,814 by Britton et al.

In claim 1, Britton teaches about a computer system comprising (Fig 1):

a message sending/receiving means for transferring a series of messages based on an application (Col 3, lines 30-35) (This is what happen during a session),

a service layer "client proxy" for providing a specific additional service to the application in accordance with a policy of specific control or instructions to each message "tailoring function" (Col 3, lines 35-40) (Col 10, lines 49-55),

a policy manager "server proxy 64" for holding and centrally managing various policies and supplying a policy corresponding to a message in accordance with a request for acquisition from the service layer (Col 9, lines 30-40) (Col 10, lines 49-55), and

a communication layer for transferring messages given the service by the service layer in accordance with the policy with the application of the other party (Col 9, lines 8-13),

wherein the service layer is provided with

an analyzing means for extracting the parameters described in a message for specifying the message, while dividing it into static parameters (user identification- userid) not changing over a relatively long period and dynamic parameters (dynamic web content) changing over a relatively short period (Col 11, lines 15-20) (Col 11, lines 35-50) (Col 13, lines 25-33) and

a requesting means for requesting the acquisition of a group of policies allocated to the static parameters from the policy manager using the extracted static parameters (Col 11, lines 45-55).

In claim 2, Britton teaches about a computer system as set forth in claim 1, wherein the policy manager has a response function unit for generating a policy cluster (Col 11, lines 40-45) and returning it to the requesting means when receiving a request for acquisition using static parameters (userid) from the requesting means (Col 11, lines 15-20), the policy cluster being comprised of at least a group of policies corresponding to overall parameters comprised of the static parameters and various changing dynamic parameters and policy allocation rules indicating

the allocations of the group of policies corresponding to the overall parameters (Col 11, lines 45-55) (Col 13, lines 25-33) .

In claim 3, Britton teaches about a computer system as set forth in claim 2, wherein said requesting means has a policy cache function unit (Col 10, lines 40-45), the policy cache function unit temporarily stores in a readable manner the above policy cluster returned from the policy manager (This is the function of a cache as known in the art), and, after the start of the transfer of a message, when a policy cluster allocated to the overall parameters sent is stored in the policy cache function unit, the corresponding policy is acquired from there (Col 10, lines 49-55).

In claim 9, Britton teaches about a service layer "client proxy" for providing a specific additional service in accordance with a policy to a series of messages transferred based on the application while contacting an outside policy manager (Col 3, lines 35-40) (Col 10, lines 49-55),

said service layer comprising:

an analyzing means for extracting from a message, for specifying it, parameters described in the message, while dividing it into static parameters (userid) not changing over a relatively long period and dynamic parameters (dynamic web content) changing over a relatively short period and a requesting means for requesting from the policy manager the acquisition of a group of policies allocated to the static parameters by using the extracted static parameters (Col 11, lines 15-20) (Col 11, lines 35-50) (Col 13, lines 25-33).

In claim 10, Britton teaches about a service layer as set forth in claim 9,further comprising a controlling means for executing an additional service in accordance with a policy (Col 10, lines 49-55).

In claim 11, Britton teaches about a service layer as set forth in claim 9, wherein said analyzing means is comprised of a static parameter analyzing function unit for extracting static parameters and a dynamic parameter analyzing function unit for extracting dynamic parameters (Col 11, lines 35-50).

In claim 12, Britton teaches about a service layer as set forth in claim 9, wherein said requesting means has a policy acquisition function unit for acquiring a group of policies allocated from the policy manager to the static parameters using the static parameters described in a message sent to the application of the other party (Col 11, lines 35-50).

In claim 13, Britton teaches about a service layer as set forth in claim 12, wherein said requesting means has a policy cache function unit for temporarily storing in a readable manner (This is the function of a cache as known in the art) the group of policies acquired from the policy acquisition function unit (Col 10, lines 40-45) (Col 10, lines 49-55).

In claim 16, Britton teaches about a policy cache function unit provided in a service layer providing a specific additional service in accordance with a policy to a series of messages transferred based on an application while contacting an external policy manager (Col 10, lines 40-45) (Col 10, lines 49-55),

said policy cache function unit comprising

a cache memory for acquiring from the policy manager and temporarily storing one or more policies for specific control or instructions to the messages (Col 10, lines 40-45) (Col 10, lines 49-55),

a policy cache table recording memory addresses in the cache memory storing the policies in correspondence with the policies (Col 10, lines 40-45), and (to locate specific information within a cache there has to be a mapping table which include memory addresses for this operation to be successful)

an allocation rule cache table for establishing allocation rules of policies for the parameters described in a message so as to specify the message (Col 10, lines 40-45), and (to locate specific information (rules) within a cache there has to be a mapping table for this operation to be successful).

In claim 18, Britton teaches about a policy manager "server proxy 64" for contacting a service layer "client proxy" providing a specific additional service for a series of messages transferred based on an application and supplies to this service layer one or more policies for specific control or instructions to the messages (Col 10, lines 49-55),

said policy manager having a response function unit for generating a policy cluster and returning it to the service layer when acquisition of a policy is requested by the service layer by static parameters (userid) among parameters described in a message for specifying the message divided into static parameters not changing over a relatively long period and dynamic parameters (dynamic web content) changing over a relatively short time (Col 10, lines 49-55) (Col 13, lines 25-33) and

said policy cluster "rule repository" comprised of at least a group of policies corresponding to the overall parameters comprised of static parameters and various changing dynamic parameters and policy allocation rules showing the allocation of each of the group of policies with respect to each of the overall parameters (Col 9, lines 30-40).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 4-8, 14-15, 17 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,654,814 by Britton et al in view of US Patent No. 6,047,051 by Ginzboorg et al.

In claim 4, Britton teaches all the limitation but does not explicitly teach about an advance negotiation phase in which a negotiation completion flag is used to indicate that a policy has being agree upon by the parties involved.

In Ginzboorg, a billing server (policy manager) is used to negotiate ahead of time the Quality of Service (QOS) by which a customer well be billed (Col 2, lines 47-55) (Col 11, lines 15-25). To guarantee QOS during service there has to be an indicator as to the terms between the customer and the service provider. This information is stored in a subscriber database, which is a register similar to the completion flag area that is being claimed (Col 5, lines 30-40).

In Britton's invention, a variety of services are being offered to a client. The process of tailoring function requires a process of discovery, which creates a delay in providing the service (Col 3, lines 25-45). By negotiating ahead of time as in the case of Ginzboorg's invention, the Britton's invention would be able to offer service with less delay, which improves service response.

It would have been obvious at the time of the invention for some one of ordinary skill to negotiate ahead of time in order to reduce the time taken to deliver a service to a customer.

In claim 5, Britton combined with Ginzboorg, teaches about a computer system as set forth in claim 4, wherein said policy manager stores in said policy cluster a negotiation completion tag for displaying that agreement has been reached when negotiating in advance with the policy manager of the other party supporting the application of the other party and reaching agreement on the policy to be used between the two (Covered in claim 4).

In claim 6, Britton teaches all the limitation but does not explicitly teach about a computer system as set forth in claim 2, wherein said policy manager has a signature function unit for generating a signature guaranteeing that the content of the policy cluster is legitimate.

In Ginzboorg, a digital signature is used to identify a customer (Col 6, lines 30-40). In Britton invention one of the media of choice is the internet (Col 9, lines 5-15). The internet is well known for is openness which makes it possible for unauthorized entities to have access to privilege information. In this way, privilege information can be corrupted and in the case of a virus destructive. By using a digital signature, the recipient of a policy is assured that the information received is from a trusted source.

It would have been obvious for some one of ordinary skill at the time of the invention to use a digital signature to insure that the data received is from a trusted source.

In claim 7, Britton combined with Ginzboorg, teaches about a computer system as set forth in claim 5, wherein said requesting means has a negotiation function unit which uses the negotiation completion tag displayed in a policy cluster to confirm the legitimacy of the negotiation completion tag in advance with the service layer of the other party when acquiring a policy cluster from the policy manager and wherein the negotiation function unit negotiates for a plurality of policies included in the policy cluster all together (Covered in claim 4).

In claim 8, Britton combined with Ginzboorg, teaches about a computer system as set forth in claim 6, wherein said requesting means has a signature verification function unit for verifying that the signature displayed in the policy cluster is legitimate when acquiring a policy cluster from the policy manager (Covered in claim 6).

In claim 14, Britton combined with Ginzboorg, teaches about a service layer as set forth in claim 13, wherein said requesting means has a negotiation function unit for negotiating for agreement between the two parties regarding the policy to be used with the service layer of the other party supporting the application of the other party for each policy of a group of policies acquired from the policy manager or the policy cache function unit (Covered in claim 4).

In claim 15, Britton combined with Ginzboorg, teaches about a service layer as set forth in claim 13, wherein said requesting means has a signature verification function unit for verifying if a signature described for a group of policies acquired from the policy manager or from the policy cache function unit is legitimate (Covered in claim 6).

In claim 17, Britton combined with Ginzboorg, teaches about a policy cache function unit as set forth in claim 16, wherein said allocation rule cache table negotiates in advance with the service layer supporting the application of the other party transferring the message and includes a negotiation completion flag area for displaying that agreement has been reached on the policies recorded in the allocation rule cache table when agreement is reached on the policies to be used between the two (Covered in claim 4).

In claim 19, Britton combined with Ginzboorg, teaches about a policy manager as set forth in claim 18, further comprising an advance negotiation function unit which negotiates in advance with the policy manager of the other party supporting the application of the other party transferring the message and generates a negotiation completion tag for recording the fact of agreement in the policy cluster when the two reach agreement on the policy to be used (Covered in claim 4).

In claim 20, Britton combined with Ginzboorg, teaches about a policy manager as set forth in claim 18, further comprising a signature function unit for generating a signature for guaranteeing that the content of the policy cluster is legitimate (Covered in claim 6).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2002/0093529 by Daoud et al, teaches about a method and apparatus to optimize a computing session based on user interaction with a computer.

US 6,684,244 by Goldman et al, teaches about an aggregated policy deployment and status propagation in network management systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925

. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MD

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